

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 5:22-CR-717
)	
Plaintiff,)	JUDGE CHARLES E. FLEMING
)	
vs.)	MAGISTRATE JUDGE CARMEN E.
)	HENDERSON
JEFFREY ROGERS,)	
)	ORDER ADOPTING REPORT &
Defendant.)	RECOMMENDATION OF
)	MAGISTRATE JUDGE

On September 3, 2024, Defendant's U.S. Pretrial and Probation Officer filed a Release Status Report requesting the issuance of a warrant for Defendant's arrest due to Defendant's failure to comply with the conditions of his pretrial supervision prior to reporting to the Federal Bureau of Prisons to serve his sentence. (ECF No. 46). The same day, this Court ordered the issuance of a warrant for Defendant's arrest. (ECF No. 47). This Court referred Defendant's initial appearance and bond violation hearing to the assigned magistrate judge for the purposes of filing a Report and Recommendation ("R&R") stating whether the Court should find that Defendant violated the terms of his pretrial supervision and whether his bond should be revoked. (*Id.*).

Before the Court is the R&R filed by United States Magistrate Judge Carmen E. Henderson finding, by clear and convincing evidence, that Defendant violated the conditions of his release by failing to comply with substance abuse testing (ECF No. 53). Judge Henderson held Defendant's initial appearance on September 5, 2024. (ECF No. 53, PageID #428). Defendant admitted to the violation as charged in the Release Status Report. (*Id.*). Judge Henderson found that Defendant's admission to the violation was knowing and voluntary, and recommended revocation of Defendant's bond. (*Id.* at PageID #429). Defendant waived his right to object to the R&R. (*Id.*).

On review of the record, the Court adopts the R&R and finds that Defendant failed to

comply with the terms of his pretrial supervision prior to reporting to the Federal Bureau of Prisons to serve his sentence. Specifically, the Court finds that Defendant failed to comply with the condition of his release mandating regular substance abuse testing, based on Defendant's knowing and voluntary admission to such conduct. On the same day as the initial appearance and bond violation hearing, Defendant also filed a Waiver of Detention Hearing consenting to his detention. (ECF No. 52). Based on Defendant's knowing and voluntary waiver of the detention hearing, his bond is revoked.

IT IS SO ORDERED.

Date: October 2, 2024

A handwritten signature in black ink, reading "Charles Esque Fleming". The signature is written in a cursive, flowing style.

CHARLES ESQUE FLEMING
UNITED STATES DISTRICT COURT